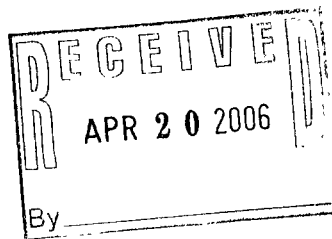




Fund your future.

960

April 12, 2006



Robert E. Feldman  
Executive Secretary  
Attn: Comments  
Federal Deposit Insurance Corp.  
550 17<sup>th</sup> Street, NW  
Washington, D.C. 20429

Regulation Comments  
Chief Counsel's Office  
Office of Thrift Supervision  
1700 G Street, NW  
Washington, D.C. 20552  
Attn: No. 2005-56

Jennifer J. Johnson, Secretary  
Board of Governors of the  
Federal Reserve System  
20<sup>th</sup> Street & Constitution Avenue, NW  
Washington, D.C. 20551

Office of the Comptroller of the  
Currency  
250 E Street, SW, Mail Stop 1-5  
Washington, D.C. 20219

Re: Proposed Interagency Guidance on Concentrations in  
Commercial Real Estate

Ladies and Gentlemen:

This proposed Interagency Guidance on Concentrations in Commercial Real Estate (hereafter referred to as "Guidance") seems to be based on areas that have experienced significant value appreciation and lending institutions that have exceeded the normal credit underwriting guidelines.

This Guidance would impose significant new requirements on community banks, such as ours, as we engage in Commercial Real Estate ("CRE") lending. If this Guidance is implemented, it would require us to invest a significant amount of time, money and effort to counter the **assumption** that we have an unsafe concentration of real estate loans.

3711 N. Ridge Road  
Wichita, KS 67205  
316.260.3711

240 W. Wichita Ave.  
Colwich, KS 67030  
316.796.1221

8725 W. Central  
Wichita, KS 67212  
316.721.9595

7555 W. 21st  
Wichita, KS 67205  
316.260.3755

2055 N. Woodlawn  
Wichita, KS 67208  
316.687.6200

www.legacy-bank.com



Member FDIC

Legacy Bank is a subsidiary of Colwich Financial Corporation. Established 1886

April 12, 2006  
Page 2

The new definition of a concentration in CRE combines several different types of CRE lending and establishes triggers for additional action without any attempt to distinguish the different levels of risk posed by each. This results in too many banks being deemed to have a high-risk concentration in CRE.

The Agencies should not issue this one-size-fits-all Guidance. Rather, we recommend that instead of imposing these new costs on the industry in general, the Agencies apply existing guidance on a case-by-case basis to address any problems in those banks not engaging in CRE lending responsibly.

I appreciate your time and consideration.

Sincerely,

  
Frank A. Suellentrop  
President

FAS:cw